

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6359

Chapter 246, Laws of 2010

61st Legislature
2010 Regular Session

COMMUNITY AND TECHNICAL COLLEGES--EFFICIENCIES--INSTITUTIONAL
COORDINATION

EFFECTIVE DATE: 06/10/10

Passed by the Senate March 7, 2010
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 4, 2010
YEAS 96 NAYS 2

FRANK CHOPP

Speaker of the House of Representatives

Approved March 29, 2010, 2:43 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6359** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 30, 2010

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6359

AS AMENDED BY THE HOUSE

Passed Legislature - 2010 Regular Session

State of Washington **61st Legislature** **2010 Regular Session**

By Senate Higher Education & Workforce Development (originally sponsored by Senators Kilmer, Becker, Shin, and Tom)

READ FIRST TIME 01/29/10.

1 AN ACT Relating to promoting efficiencies including institutional
2 coordination and partnerships in the community and technical college
3 system; amending RCW 28B.50.020 and 28B.50.090; adding a new section to
4 chapter 28B.50 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that Washington's
7 community and technical college system consists of thirty-four two-year
8 institutions geographically dispersed across the state to encourage and
9 enable student access and participation. The legislature also finds
10 that, compared with other states, Washington's two-year public
11 participation rate is ranked as high as fifth in the nation. The
12 legislature further finds that Washington's community and technical
13 colleges have been making and are continuing to make great progress
14 towards system efficiencies and coordination of their efforts through
15 such things as common course numbering, the student achievement
16 initiative, associate transfer degrees, eLearning and integrated basic
17 education, skills training, and some common administrative systems.
18 While maintaining Washington's recognized leadership in community and
19 technical college education, the legislature intends to provide

1 mechanisms to encourage further efficiencies that will provide cost
2 savings to be used to enhance student access and success, strengthen
3 academic programs, and develop and retain high quality faculty through
4 cost-effective partnerships and coordination between institutions,
5 including shared services and increased complementary programming, as
6 well as structural administrative efficiencies.

7 **Sec. 2.** RCW 28B.50.020 and 2009 c 64 s 2 are each amended to read
8 as follows:

9 The purpose of this chapter is to provide for the dramatically
10 increasing number of students requiring high standards of education
11 either as a part of the continuing higher education program or for
12 occupational education and training, or for adult basic skills and
13 literacy education, by creating a new, independent system of community
14 and technical colleges which will:

15 (1) Offer an open door to every citizen, regardless of his or her
16 academic background or experience, at a cost normally within his or her
17 economic means;

18 (2) Ensure that each college district, in coordination with
19 adjacent college districts, shall offer thoroughly comprehensive
20 educational, training, and service programs to meet the needs of both
21 the communities and students served by combining high standards of
22 excellence in academic transfer courses; realistic and practical
23 courses in occupational education, both graded and ungraded; community
24 services of an educational, cultural, and recreational nature; and
25 adult education, including basic skills and general, family, and
26 workforce literacy programs and services;

27 (3) Provide for basic skills and literacy education, and
28 occupational education and technical training (~~(at technical colleges)~~)
29 in order to prepare students for careers in a competitive workforce;

30 (4) Provide or coordinate related and supplemental instruction for
31 apprentices at community and technical colleges;

32 (5) Provide administration by state and local boards which will
33 avoid unnecessary duplication of facilities (~~(or)~~) programs, student
34 services, or administrative functions; and which will encourage
35 efficiency in operation and creativity and imagination in education,
36 training, and service to meet the needs of the community and students;

1 (6) Allow for the growth, improvement, flexibility and modification
2 of the community colleges and their education, training, and service
3 programs as future needs occur; and

4 (7) Establish firmly that, except on a pilot basis as provided
5 under RCW 28B.50.810, community colleges are, for purposes of academic
6 training, two year institutions, and are an independent, unique, and
7 vital section of our state's higher education system, separate from
8 both the common school system and other institutions of higher
9 learning, and never to be considered for conversion into four-year
10 liberal arts colleges.

11 **Sec. 3.** RCW 28B.50.090 and 2009 c 64 s 4 are each amended to read
12 as follows:

13 The college board shall have general supervision and control over
14 the state system of community and technical colleges. In addition to
15 the other powers and duties imposed upon the college board by this
16 chapter, the college board shall be charged with the following powers,
17 duties and responsibilities:

18 (1) Review the budgets prepared by the boards of trustees, prepare
19 a single budget for the support of the state system of community and
20 technical colleges and adult education, and submit this budget to the
21 governor as provided in RCW 43.88.090;

22 (2) Establish guidelines for the disbursement of funds; and receive
23 and disburse such funds for adult education and maintenance and
24 operation and capital support of the college districts in conformance
25 with the state and district budgets, and in conformance with chapter
26 43.88 RCW;

27 (3) Ensure, through the full use of its authority:

28 (a) That each college district, in coordination with colleges,
29 within a regional area, shall offer thoroughly comprehensive
30 educational, training, and service programs to meet the needs of both
31 the communities and students served by combining high standards of
32 excellence in academic transfer courses; realistic and practical
33 courses in occupational education, both graded and ungraded; and
34 community services of an educational, cultural, and recreational
35 nature; and adult education, including basic skills and general,
36 family, and workforce literacy programs and services;

1 (b) That each college district shall maintain an open-door policy,
2 to the end that no student will be denied admission because of the
3 location of the student's residence or because of the student's
4 educational background or ability; that, insofar as is practical in the
5 judgment of the college board, curriculum offerings will be provided to
6 meet the educational and training needs of the community generally and
7 the students thereof; and that all students, regardless of their
8 differing courses of study, will be considered, known and recognized
9 equally as members of the student body: PROVIDED, That the
10 administrative officers of a community or technical college may deny
11 admission to a prospective student or attendance to an enrolled student
12 if, in their judgment, the student would not be competent to profit
13 from the curriculum offerings of the college, or would, by his or her
14 presence or conduct, create a disruptive atmosphere within the college
15 not consistent with the purposes of the institution. This subsection
16 (3)(b) shall not apply to competency, conduct, or presence associated
17 with a disability in a person twenty-one years of age or younger
18 attending a technical college;

19 (4) Prepare a comprehensive master plan for the development of
20 community and technical college education and training in the state;
21 and assist the office of financial management in the preparation of
22 enrollment projections to support plans for providing adequate college
23 facilities in all areas of the state. The master plan shall include
24 implementation of the vision, goals, priorities, and strategies in the
25 statewide strategic master plan for higher education under RCW
26 28B.76.200 based on the community and technical college system's role
27 and mission. The master plan shall also contain measurable performance
28 indicators and benchmarks for gauging progress toward achieving the
29 goals and priorities;

30 (5) Define and administer criteria and guidelines for the
31 establishment of new community and technical colleges or campuses
32 within the existing districts;

33 (6) Establish criteria and procedures for modifying district
34 boundary lines and consolidating district structures to form multiple
35 campus districts consistent with the purposes set forth in RCW
36 28B.50.020 as now or hereafter amended and in accordance therewith make
37 such changes as it deems advisable;

1 (7) Establish minimum standards to govern the operation of the
2 community and technical colleges with respect to:

3 (a) Qualifications and credentials of instructional and key
4 administrative personnel, except as otherwise provided in the state
5 plan for vocational education,

6 (b) Internal budgeting, accounting, auditing, and financial
7 procedures as necessary to supplement the general requirements
8 prescribed pursuant to chapter 43.88 RCW,

9 (c) The content of the curriculums and other educational and
10 training programs, and the requirement for degrees and certificates
11 awarded by the colleges,

12 (d) Standard admission policies,

13 (e) Eligibility of courses to receive state fund support;

14 (8) Establish and administer criteria and procedures for all
15 capital construction including the establishment, installation, and
16 expansion of facilities within the various college districts;

17 (9) Encourage innovation in the development of new educational and
18 training programs and instructional methods; coordinate research
19 efforts to this end; and disseminate the findings thereof;

20 (10) Exercise any other powers, duties and responsibilities
21 necessary to carry out the purposes of this chapter;

22 (11) Authorize the various community and technical colleges to
23 offer programs and courses in other districts when it determines that
24 such action is consistent with the purposes set forth in RCW 28B.50.020
25 as now or hereafter amended;

26 (12) Notwithstanding any other law or statute regarding the sale of
27 state property, sell or exchange and convey any or all interest in any
28 community and technical college real and personal property, except such
29 property as is received by a college district in accordance with RCW
30 28B.50.140(8), when it determines that such property is surplus or that
31 such a sale or exchange is in the best interests of the community and
32 technical college system;

33 (13) In order that the treasurer for the state board for community
34 and technical colleges appointed in accordance with RCW 28B.50.085 may
35 make vendor payments, the state treasurer will honor warrants drawn by
36 the state board providing for an initial advance on July 1, 1982, of
37 the current biennium and on July 1 of each succeeding biennium from the
38 state general fund in an amount equal to twenty-four percent of the

1 average monthly allotment for such budgeted biennium expenditures for
2 the state board for community and technical colleges as certified by
3 the office of financial management; and at the conclusion of such
4 initial month and for each succeeding month of any biennium, the state
5 treasurer will reimburse expenditures incurred and reported monthly by
6 the state board treasurer in accordance with chapter 43.88 RCW:
7 PROVIDED, That the reimbursement to the state board for actual
8 expenditures incurred in the final month of each biennium shall be less
9 the initial advance made in such biennium;

10 (14) Notwithstanding the provisions of subsection (12) of this
11 section, may receive such gifts, grants, conveyances, devises, and
12 bequests of real or personal property from private sources as may be
13 made from time to time, in trust or otherwise, whenever the terms and
14 conditions thereof will aid in carrying out the community and technical
15 college programs and may sell, lease or exchange, invest or expend the
16 same or the proceeds, rents, profits and income thereof according to
17 the terms and conditions thereof; and adopt regulations to govern the
18 receipt and expenditure of the proceeds, rents, profits and income
19 thereof; and

20 (15) The college board shall have the power of eminent domain.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.50 RCW
22 to read as follows:

23 (1) The state board for community and technical colleges, in
24 collaboration with the boards of trustees for the community and
25 technical colleges, shall identify potential administrative
26 efficiencies, complementary administrative functions, and complementary
27 academic programs based upon consultation with colleges within a
28 regional area. To study and identify potential administrative
29 efficiencies and complementary administrative functions and programs,
30 colleges within the regional area shall work with stakeholders
31 including faculty and staff representatives appointed by their
32 respective unions. Factors to be considered include, but are not
33 limited to:

34 (a) The economic feasibility and cost savings anticipated from the
35 proposed changes;

36 (b) The extent to which the changes will contribute to student

1 access to academic programs and services, including greater flexibility
2 for students to transfer credits and obtain degrees and certificates
3 from other colleges within the regional area; and

4 (c) The extent to which the changes contribute to the vision,
5 goals, priorities, and statewide strategies in the comprehensive master
6 plan and the statewide strategic master plan for higher education.

7 (2) The state board for community and technical colleges shall
8 develop and adopt a detailed plan for the implementation of any
9 identified changes that would result in cost savings while maintaining
10 or enhancing student access and achievement. If educational programs
11 are identified that would provide cost savings if consolidated, the
12 faculty and staff of those programs shall be convened to assist in the
13 development of the part of the plan that will impact their programs and
14 collective bargaining agreements. The plan must establish a time frame
15 within which any proposed changes must be accomplished and must include
16 any agreements, approved by the state board for community and technical
17 colleges, between colleges within a regional area to provide
18 complementary academic programs or coordinate administrative functions.
19 The implementation plan shall take effect upon approval by the state
20 board for community and technical colleges. The state board shall
21 submit a preliminary report on the plan to the appropriate legislative
22 committees and the governor December 1, 2010, and shall submit a final
23 report December 1, 2011.

24 (3) Any cost savings realized as a result of the implementation of
25 administrative efficiencies, complementary administrative functions,
26 and complementary academic programming under the plan shall be retained
27 by the respective districts to be used for enhancing student access and
28 success, and the retention and recruitment of high quality faculty,
29 including but not limited to, full-time faculty, faculty development,
30 and academic programs.

31 (4) The college board, using the criteria and processes established
32 in this section and in consultation with the boards of trustees for the
33 community and technical colleges, shall identify adjacent college
34 districts that can feasibly be consolidated or whose boundaries can
35 feasibly be modified to form a multiple campus district. The primary
36 considerations shall be the extent to which the changes will: (a)
37 Affect student access to academic programs and services, (b) affect the

1 retention and recruitment of high quality faculty, and (c) result in
2 financial efficiencies.

3 (5) By December 1, 2012, the college board, in consultation with
4 local boards of trustees, shall evaluate any proposed district
5 consolidations or boundary changes identified in subsection (4) of this
6 section as it deems advisable and shall submit any required supporting
7 legislative changes to the governor and appropriate committees of the
8 legislature.

Passed by the Senate March 7, 2010.

Passed by the House March 4, 2010.

Approved by the Governor March 29, 2010.

Filed in Office of Secretary of State March 30, 2010.